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09/777,889	02/07/2001	Joseph M. Cannon	Cannon 112-102	3320

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EXAMINER
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NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
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2617

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04/26/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/777,889	<b>Applicant(s)</b> CANNON ET AL.	
	<b>Examiner</b> KHAI M. NGUYEN	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-14,19-22,28,29 and 44-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2,5-14,19-22,28-29, and 44-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/9/2009 has been entered.

2. Applicant's arguments with respect to claims 1-2, 5-14, 19-22 and 28-29, and 44-58 have been considered but are moot in view of the new ground(s) of rejection.

Ciccone teaches answering an incoming call at a cordless telephone having a base unit and a plurality of handsets (fig.1, col.3, lines 49-52; incoming telephone calls received at the base unit 10 from the central office over any one of the tip-ring lines 101 or 102 may be answered by a person at either of the handset units 20 through 40).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 5-14, 19-22, 28-29, and 44-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukada et al. (U.S.Pat-4640987) in view of Ciccone (U.S.Pat-6128504).

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Regarding claim 1, Tsukada teaches a method of answering an incoming call at a cordless telephone having a base unit and a handset (fig.1, 3-4, col.6, lines 5-35), each of said base unit and handset being at a different location (fig.1, 3-4, col.4, lines 61-66), the method comprising the steps of.

answering, by a first party (fig.5-7, col.12, lines 3-11), the incoming call at one of said plurality of units (fig.7, col.12, lines 3-11; col.17, lines 13-33);

after the incoming call is answered and while the incoming call is active (fig.5-7, col.12, lines 3-11), initiating an intercom connection between units (fig.5-7, intercom key 153, col.8, lines 58-67; col.17, lines 12-33; the control program for the transfer of the telephone call from one unit to the other. Assuming one unit is in communication with the telephone network line in step 41, and in step 42 that the intercom key of the one unit is actuated, step 43 determines whether or not the other unit answers. If it does answer, this is indicated in step 44 and in step 45 the one unit hangs up. In step 46, the other unit is now in communication with the outside line), by an intercom initiating party (col.8, lines 58-67), to alert an intercom receiving party (col.9, lines 34-40), the intercom connection permitting voice communication between the intercom initiating party and the intercom receiving party (fig.7, col.4, line 65 to col.5, line 21; col.17, lines 13-33; three way conversation is possible between both units and the outside caller);

automatically placing said a coming call in a hold status if either said intercom initiating party or said intercom receiving party is also said first party (col.12, lines 37-47); and

accepting said incoming call at another one of said plurality of units (fig.7, col.11, lines 37-50, col.17, lines 13-33; the control program for the transfer of the telephone call from one unit to the other. Assuming one unit is in communication with the telephone network line in step 41, and in step 42 that the intercom key of the one unit is actuated, step 43 determines whether or not the other unit answers. If it does answer, this is indicated in step 44 and in step 45 the one unit hangs up. In step 46, the other unit is now in communication with the outside line), by said intercom receiving party, by terminating the hold status (col.11, lines 37-50).

Tsukada fails to specifically disclose answering an incoming call at a cordless telephone having a base unit and a plurality of handsets.

However, Ciccone teaches answering an incoming call at a cordless telephone having a base unit and a plurality of handsets (fig.1, col.3, lines 49-52; incoming telephone calls received at the base unit 10 from the central office over any one of the tip-ring lines 101 or 102 may be answered by a person at either of the handset units 20 through 40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

Regarding claim 2, Tsukada teaches accepting said incoming call (col.11, lines 37-50), by said first party, by terminating the hold status (col.11, lines 37-50).

Regarding claim 5, Tsukada teaches a method of answering all incoming call at a cordless telephone with a base unit and handset (fig.1, 3-4, col.6, lines 5-35), said base

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unit and said handset being at separate locations (fig.1, 3-4, col.4, lines 61-66), the method comprising the steps of:

a first party answering the incoming call at a first unit of the cordless telephone (fig.5-7, col.12, lines 3-11, col.17, lines 13-33);

the first party alerting a second party (fig.5-7, intercom key 153, col.8, lines 58-67), by initiating an intercom connection between said first unit and said second unit (fig.5-7, intercom key 153, col.8, lines 58-67, col.17, lines 13-33), while the incoming call is automatically placed in a hold status (fig.5-7, col.12, lines 37-47). The intercom connection permitting voice communication between the first party and the second party (col.17, lines 13-33); and

the second party accepting the incoming call at the second unit by terminating the hold status (fig.5-7, col.12, lines 3-11, col.11, lines 37-50).

Tsukada fails to specifically disclose answering an incoming call at a cordless telephone having a base unit and a plurality of handsets.

However, Ciccone teaches answering an incoming call at a cordless telephone having a base unit and a plurality of handsets (fig.1, col.3, lines 49-52; incoming telephone calls received at the base unit 10 from the central office over any one of the tip-ring lines 101 or 102 may be answered by a person at either of the handset units 20 through 40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

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Regarding claim 6, Tsukada teaches a cordless telephone system comprising:  
a base station including first control circuitry for controlling operations at said base station (fig.4, col.6, lines 13-35); and

cordless telephone unit for communicating with said base station (fig.3-4, col.5-35), each including second control circuitry for controlling operations at said first unit (fig.3, col.6, lines 13-35);

said first and second control circuitry operating in response to initiation of an intercom communication at of said units (fig.5-7, intercom key 153, col.8, lines 58-67) to place an active call at first unit on hold during said intercom communication (fig.5-7, col.12, lines 37-47), the intercom communication permitting voice communication between at least two of said units (col.17, lines 13-33).

Tsukada fails to specifically disclose at least two cordless telephone handsets for communicating with said base station.

However, Ciccone teaches at least two cordless telephone handsets for communicating with said base station (fig.1, col.3, lines 49-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

Regarding claim 7, Tsukada teaches said first control circuitry causes said active call to be placed on hold when said intercom communication is initiated during said active call (fig.5-7, col.12, lines 12-47) and initiates said intercom communication between handsets (fig.5-7, intercom key 153, col.8, lines 58-67, col.17, lines 13-33).

Regarding claim 8, Tsukada teaches first control circuitry causes said active call to be re-engaged when one of said handsets terminates said intercom communications (fig.5-7, col.12, lines 3-47).

Regarding claim 9, Tsukada teaches a cordless telephone system comprising:  
a base station including first control circuitry for controlling operations at said base station (fig.4, col.6, lines 13-35); and

at least a first cordless telephone unit for communicating with said base station including second circuitry for controlling operations at said first unit respectively (fig.3-4, col.6, lines 13 to col.7, line 47);

said first and second control circuitry operating in response to initiation of an intercom communication at one of said first unit to place an active call on hold during said intercom communication (fig.5-7, col.12, lines 3-47), the intercom communication permitting voice communication between at least two of said units (col.4, line 65 to col.5, line 21, col.17, lines 13-33).

Tsukada fails to specifically disclose a cordless telephone having a base unit and a plurality of handsets; and third control circuitry operating of said second handset.

However, Ciccone teaches a cordless telephone having a base unit and a plurality of handsets (fig.1, col.3, lines 49-52); and third control circuitry operating of said second handset (fig.1, col.3, lines 49-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

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Regarding claim 10, Tsukada and Ciccone further teach first control circuitry causes said active call to be placed on hold (see Tsukada, fig.5-7, col.12, lines 3-47) when said intercom communication is initiated during said active call and initiates said intercom communication between at least two of said base station and said handsets (see Tsukada, fig.5-7, col.12, lines 3-47, col.17, lines 13-33, see Ciccone, fig.1 and 11).

Regarding claim 11, Tsukada and Ciccone further teach first control circuitry causes said active call to be re-engaged when at least one of said base station and said handsets terminates said intercom communication (see Tsukada, fig.5-7, col.12, lines 3-47, col.17, lines 13-33, see Ciccone, fig.1 and 11).

Regarding claim 12, Tsukada teaches a cordless telephone system (fig.1) comprising:

a base station including first control circuitry for controlling operations at said base station (fig.4, col.6, lines 13-35) and separate intercom buttons for each of a plurality of cordless telephone units (fig.5-7, intercom key 153), said plurality of cordless telephone units comprising at least first cordless telephone unit for communicating with said base station (fig.3-4, col.6, lines 13 to col.7, line 47) and including second control circuitry for controlling operations at said first unit (fig.3-4, col.6, lines 13 to col.7, line 47), respectively and a separate intercom button for said base station and each other of said units (fig.5-7, intercom key 153, col.8, lines 58-67);

said first and second control circuitry operating in response to initiation of an intercom communication at one of said first unit to place an active call on hold during said intercom communication (fig.5-7, col.12, lines 3-47), the intercom communication

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permitting voice communication between at least two of said units (col.4, line 65 to col.5, line 21).

Tsukada fails to specifically disclose a cordless telephone having a base unit and a plurality of handsets; second cordless telephone handset for communicating with said base station; and third control circuitry operating of said second handset.

However, Ciccone teaches a cordless telephone having a base unit and a plurality of handsets (fig.1, col.3, lines 49-52); second cordless telephone handset for communicating with said base station (fig.1); and third control circuitry operating of said second handset (fig.1, col.3, lines 49-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

Regarding claim 13, Tsukada and Ciccone further teach first control circuitry causes said active call to be placed on hold when said intercom communication is initiated during said active call and initiates said intercom communication between at least two of said handsets (see Tsukada, fig.5-7, col.12, lines 3-47, col.17, lines 13-33, see Ciccone, fig.1 and 11).

Regarding claim 14, Tsukada and Ciccone further teach first control circuitry causes said active call to be re-engaged when one of said handsets terminates said intercom communications (see Tsukada, fig.5-7, col.12, lines 3-47, col.17, lines 13-33, see Ciccone, fig.1 and 11).

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Regarding claim 19, Tsukada teaches step of initiating an intercom connection comprises activating an intercom initiator (fig.5-7, intercom key 153, 253, col.8, lines 58-67).

Regarding claim 20, Tsukada teaches step of alerting further comprises sending an intercom connection request signal (fig.5-7, intercom key 153, 253, col.8, lines 58-67).

Regarding claim 21, Tsukada teaches terminating said step of initiating by sending an end intercom signal (fig.5-7, intercom key 153, 253, col.8, lines 58-67).

Regarding claim 22, Tsukada teaches wherein said step of sending an end intercom signal further comprises activating an intercom control (fig.5-7, intercom key 153, 253, col.8, lines 58-67).

Regarding claim 28, Tsukada teaches wherein said step of alerting a second party further comprises sending an intercom request signal from said first handset to said second handset (fig.5-7, intercom key 153, 253, col.6, lines 13-35, col.8, lines 58-67, col.17, lines 13-33).

Regarding claim 29, Tsukada teaches terminating said step of initiating an intercom connection between said first handset and said second handset by activating an intercom control on said first handset (fig.5-7, intercom key 153, 253, col.6, lines 13-35, col.8, lines 58-67, col.17, lines 13-33).

Regarding claim 44, Tsukada teaches a method of communicating between devices in a multi-device telephone system (fig.1, col.6, lines 13-35), wherein:

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the system comprise a base station and a wireless handset (fig.1, col.6, lines 13-35); and

the system is adapted to permit voice communication (i) between at least two of the wireless devices and (ii) between at least two of the wireless devices and an external telephone via a telephone network (fig.5-7, col.12, lines 3-59),

the method comprising:

(a) making a first connection for voice communication between a first device of the system and the external telephone (fig.5-7, col.12, lines 3-59); and

(b) placing the first connection on hold while attempting to make a second connection for voice communication between the first device and a second device of the system (fig.5-7, col.12, lines 3-59).

Tsukada fails to specifically disclose the station and at least two handsets; and make a connection for voice communication between first handset and a second handset of the system.

However, Ciccone teaches the station and at least two handsets (fig.1, col.3, lines 49-52); and make a connection for voice communication between first handset and a second handset of the system (fig.11, col.3, lines 8-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

Regarding claim 45, Tsukada teaches (c) making the second connection (fig.5-7, col.12, lines 3-59, *permitting three way conversation*).

Regarding claim 46, Tsukada teaches (c) breaking the first and second connections (fig.5-7, col.12, lines 3-59); and (d) making a third connection between the external telephone and the second device (fig.5-7, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

Regarding claim 47, Tsukada teaches (c) breaking the second connection (fig.5-7, col.12, lines 3-59); and (d) taking the first connection off hold (fig.5-7, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

Regarding claim 48, Tsukada teaches providing an audible signal to at least one of the handsets to indicate that the second connection is made (fig.5-7, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

Regarding claim 49, Tsukada teaches a multi-device telephone system comprising:

a plurality of devices comprising a base station and wireless handset (fig.1, col.6, lines 13-35); wherein the system is adapted to:

(a) permit voice communication (i) between any two of the devices and (ii) between one of the wireless devices and an external telephone via a telephone network (fig.5-7, col.12, lines 3-59);

(b) make a first connection for voice communication between a first device of the system and the external telephone (fig.5-7, col.12, lines 3-59); and

(c) place the first connection on hold while attempting to make a second connection for voice communication between the first device and a second device of the system (fig.5-7, col.12, lines 3-59).

Tsukada fails to specifically disclose the station and at least two handsets; and make a connection for voice communication between first handset and a second handset of the system.

However, Ciccone teaches the station and at least two handsets (fig.1, col.3, lines 49-52); and make a connection for voice communication between first handset and a second handset of the system (fig.11, col.3, lines 8-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

Regarding claim 50, Tsukada teaches the system is further adapted to:

(d) make the second connection (fig.5-7, col.12, lines 3-59, *permitting three way conversation*).

Regarding claim 51, Tsukada teaches the system is further adapted to:

(d) break the first and second connections (fig.5-7, col.12, lines 3-59); and  
(e) make a third connection between the external telephone and the second handset (fig.5-7, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

Regarding claim 52, Tsukada teaches the system is further adapted to:

(d) break the second connection (fig.5-7, col.12, lines 3-59); and  
(e) take the first connection off hold (fig.5-7, col.12, line 3 to col.13, line 66).

Regarding claim 53, Tsukada teaches the system is further adapted to provide an audible signal to at least one of the handsets to indicate that the second connection is made (fig.5-7, col.12, line 3 to col.13, line 66).

Regarding claim 54, Tsukada teaches a base station for a multi-device telephone system comprising a plurality of devices comprising the base station and wireless handset (fig.1, col.6, lines 13-35), the base station comprising control circuitry adapted to:

(a) make a first connection for voice communication between a device of the system and an external telephone via a telephone network (fig.5-7, col.12, lines 3-59);  
and

(b) place the first connection on hold while attempting to make a second connection for voice communication between the device and another device of the system (fig.5-7, col.12, line 3 to col.13, line 66).

Tsukada fails to specifically disclose the station and at least two handsets; and make a connection for voice communication between first handset and a second handset of the system.

However, Ciccone teaches the station and at least two handsets (fig.1, col.3, lines 49-52); and make a connection for voice communication between first handset and a second handset of the system (fig.11, col.3, lines 8-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teaching of Ciccone to Tsukada to easy for the user to answer an incoming call.

Regarding claim 55, Tsukada teaches the control circuitry is further adapted to:

(d) make the second connection (fig.5-7, col.12, lines 3-59, *permitting three way conversation*).

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Regarding claim 56, Tsukada teaches the control circuitry is further adapted to:

(e) break the first and second connections (fig.5-7, col.12, line 3 to col.13, line 66); and

(f) make a third connection between the external telephone and the second device (fig.5-7, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

Regarding claim 57, Tsukada teaches the control circuitry is further adapted to:

(e) break the second connections (fig.5-7, col.12, line 3 to col.13, line 66); and

(f) take the first connection off hold (fig.5-7, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

Regarding claim 58, Tsukada teaches the control circuitry is further adapted to provide an audible signal to at least one of the devices indicate that the second connection is attempted or is made (fig.5-7, col.9, lines 34-40, col.12, line 3 to col.13, line 66, col.17, lines 13-33).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/  
Examiner, Art Unit 2617

4/22/2010